

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADAN CASILLAS-AGUILAR,

Defendant.

8:21CR116

**PRELIMINARY ORDER
OF FORFEITURE**

This matter is before the Court on the government's Motion for Preliminary Order of Forfeiture (Filing No. 33). The Court has carefully reviewed the record in this case and finds as follows:

1. On January 21, 2022, defendant Adan Casillas-Aguilar ("Casillas-Aguilar") pleaded guilty to Counts I and II of the Information (Filing No. 26) and admitted the Forfeiture Allegation. Count I charged Casillas-Aguilar with conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual), in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1). Count II of the Information charged Casillas-Aguilar with possession of a firearm in furtherance of drug trafficking, in violation of 18 U.S.C. § 924(c)(1)(A).

2. The Forfeiture Allegation of the Information sought forfeiture, pursuant to 21 U.S.C. § 853, of \$48,317 in United States currency seized from 2027 Read Street, Lot 24, Omaha, Nebraska, on or about December 2, 2020, on the basis it was derived from proceeds obtained (directly or indirectly) as a result of the violation and/or was used (or intended to be used) to commit or facilitate the violation.

3. Based on Casillas-Aguilar's guilty plea and admission, Casillas-Aguilar forfeits his interest in the \$48,317 in United States currency and the government should be

entitled to possession of any interest Casillas-Aguilar has in the \$48,317 in United States currency pursuant to 21 U.S.C. § 853.

4. The government's Motion for Preliminary Order of Forfeiture should be granted.

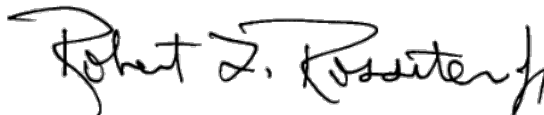
IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 33) is granted.
2. Based upon the Forfeiture Allegation of the Information and Casillas-Aguilar's plea and admission, the government is hereby authorized to seize the \$48,317 in United States currency.
3. Casillas-Aguilar's interest in the \$48,317 in United States currency is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The \$48,317 in United States currency is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the \$48,317 in United States currency in such manner as the Attorney General may direct, and notice that any person, other than Casillas-Aguilar, having or claiming a legal interest in the \$48,317 in United States currency must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the \$48,317 in United States currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the \$48,317 in United States currency and any additional facts supporting the Petitioner's claim and the relief sought.
7. The government shall, to the extent practicable, provide direct written notice to any person known to have an interest in the \$48,317 in United States currency as a substitute for published notice as to those persons so notified.

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, in which all interests will be addressed.

Dated this 2nd day of February 2022.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge